

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,

Plaintiff,

v.

FRANCIS MITCHELL,

Defendant.

Criminal Action No. 05-16-GMS

MOTION AND ORDER TO DISMISS

NOW COMES the United States of America, by and through its attorneys, Colm F. Connolly, United States Attorney for the District of Delaware, and Edmond Falgowski, Assistant United States Attorney for the District of Delaware, and hereby moves this Honorable Court to dismiss the Indictment. On December 18, 2006, pursuant to a plea agreement, the defendant entered a guilty plea in the United States District Court for the Middle District of Florida to a two count Information charging the filing of false tax returns, which Information was transferred to that district from the District Court for the District of Delaware by means of a Rule 20 transfer.

COLM F. CONNOLLY
United States Attorney

By

Edmond Falgowski
Assistant United States Attorney

Dated:

1-25-07

IT IS SO ORDERED this _____ day of _____, 2007.

HONORABLE GREGORY M. SLEET
United States District Court

CERTIFICATE OF SERVICE

UNITED STATES OF AMERICA)	
)	
v.)	Criminal Action No. 05-16-GMS
)	
FRANCIS MITCHELL,)	
)	
Defendant.)	

I, Sharon Bernardo, an employee of the United States Attorney's Office, hereby certify that on January 25, 2007, I electronically filed the foregoing:

MOTION AND ORDER TO DISMISS

with the Clerk of the Court using the CM/ECF which will send notification of such filing to:

Christopher Koyste, Esquire
Federal Public Defender's Office
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